

Application No. 10/622,887
Amdt. Dated 06/23/2004
Reply to Office Action of 12/23/2003

REMARKS:

Specification:

The disclosure is objected to because of certain informalities. Applicants have amended the present specification where noted to correct the informalities, and clarify the specification where appropriate. With respect to the amendment of paragraph 8 on page 2, the reference to "claim 1" has been replaced with the text of original claim 1. No new matter was entered. Consequently, applicants request that this objection be withdrawn.

Claims: 35 USC §102

Claims 44-46 are rejected under 35 USC §102(b) as being anticipated by U.S. Patent No. 4,505,220 ("Bank"). The Examiner indicates that the pedestals (3) of Bank are selectively actuable. Applicants respectfully disagree with the Examiner's characterization of Bank and the rejection based thereon.

Claims 44-46 recite a system for coating containers that comprises, *inter alia*, a first conveyor and a second conveyor. Each conveyor has a plurality of platforms, each of which is selectively actuable to position a container proximate the apparatus for coating an area of damaged protective coating on that container.

Bank, in contrast, discloses an apparatus for applying a coating to a food container. The Bank apparatus includes a plurality of vacuum pots 9 mounted on a conveyor system 20. A spray device 14 is mounted in a fixed position relative to the conveyor system. A shroud heater 15 is mounted such that it can be "dropped over the container" previously sprayed.

There is no disclosure or suggestion within Bank that vacuum pots 9 are selectively actuable to position a container proximate the apparatus for coating an area on that container. Rather, the pots 9 are disclosed as fixed pedestals relative to the coating apparatus. Indeed, Bank actually teaches away from the pots 9 being selectively actuable to position a container proximate the coating apparatus by teaching that the heater 15 is actuable toward the pot 9 and container attached thereto. One of the advantages of the present apparatus is that it enables the selective positioning of the container relative to the coating apparatus to avoid continuously moving the coating apparatus. In the high-speed environment of can manufacturing (e.g., 80 cycles per

Application No. 10/622,887
Amdt. Dated 06/23/2004
Reply to Office Action of 12/23/2003

minute), this advantage is significant. For at least this reason, applicants respectfully submit that claim 44 is not anticipated by Bank, and request that the rejection of claims 44-46 be withdrawn.

With respect to claim 45, as stated above, the pots 9 of Bank are not selectively actuatable to position a container proximate the apparatus for coating an area on that container, and Bank teaches away therefrom by teaching that the heater 15 is actuatable toward the pot 9 and container attached thereto. The difference between moving the container versus the heater is significant in the high-speed environment of can manufacturing (e.g., 80 cycles per minute). For at least this reason, applicants respectfully submit that claim 45 is not anticipated by Bank, and request that the rejection of claim 45 be withdrawn.

Claim 46 recites the further limitation that each platform of the second conveyor is selectively actuatable to position one of the containers proximate a carrier unit for depositing protective coating material *attached to* the carrier unit onto the area of damaged protective coating on the container. Bank, in contrast, discloses an apparatus wherein the coating is sprayed onto the container. The carrier unit of claim 46, with the coating material attached thereto, permits the coating material to be selectively applied to a portion of the container. An apparatus capable of selective application of a coating is not disclosed within Bank. Hence, the carrier unit recited within claim 46 is different from the apparatus of Bank, and the difference is significant in that it permits selective application of the coating material. For at least this reason, applicants respectfully submit that claim 46 is not anticipated by Bank, and request that the rejection of claim 46 be withdrawn.

Claim 47 is rejected under 35 USC §102(b) as being anticipated by U.S. Patent No. 4,259,372 ("Eddy"). Claim 47 as amended recites a system for coating containers that comprises, inter alia, at least one heating unit that is positioned adjacent a rotary manipulator. The rotary manipulator rotates containers to a position proximate an apparatus for coating an area of damaged protective coating on a container, and to a position proximate the at least one heating unit. Eddy does not disclose or suggest a system that includes a heating unit, or a rotary manipulator that rotates containers to a position proximate the heating unit. For at least this reason, applicants respectfully submit that amended claim 47 is not anticipated by Eddy, and request that the rejection

Application No. 10/622,887
Amdt. Dated 06/23/2004
Reply to Office Action of 12/23/2003

of claim 47 be withdrawn.

New claim 48 is added to more distinctly claim the subject matter that applicants regard as their invention. Claim 48 is fully supported within the specification, and believed to be novel in view of all references of record. Applicants respectfully request that claim 48 be entered and passed onto allowance.

As all outstanding objections and rejections have been addressed and traversed, applicants respectfully request claims 44-48 be allowed, and the present application be passed onto allowance. Please charge the extension fee of \$950 due with this response, and any additional fee that may be due, to Deposit Account No. 13-0235.

Respectfully submitted,

By: Richard D. Getz
Richard D. Getz
Registration No. 36,147
Attorney for Applicant

McCormick, Paulding & Huber LLP
CityPlace II
185 Asylum Street
Hartford, CT 06103-3402
Telephone: 860-549-5290
Facsimile: 860-527-0464